

COLWICH PARISH COUNCIL



STAFF HANDBOOK

Sickness Policy

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PD119 SICKNESS POLICY



Sickness Policy – PD119

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1. POLICY STATEMENT

1.1 Colwich Parish Council is committed to promoting the health, safety and wellbeing of its staff by:

1.1.1 Providing appropriate support to facilitate staff retention and return to work after illness for example through a phased return, counselling, occupational health, flexible working and reasonable adjustments;

1.1.2 Tackling issues which may result in absence due to work related stress or dignity at work issues;

1.1.3 Encouraging attendance, monitoring absence and the cost of sickness absence.

1.2 The sickness absence policy aims to ensure that absence is managed in a consistent, supportive and effective way so that service to the community is maintained.

1.3 Disability related sickness absence, and attendance at disability related medical appointments will be recorded but not categorised as sickness absence.

2. MEDICAL HEALTH ADVICE AND SUPPORT

Occupational Health

2.1 If the Council are concerned about your sickness absence, you may be referred to an OH advisor for a medical assessment to seek advice on reducing sickness absence and/or facilitating a return to work where this is possible.

2.2 If you are asked to attend an appointment with an OH physician you will receive a copy of the medical report and the Council will arrange a follow up meeting to discuss the findings with you.

Counselling Service

2.3 The Society of Local Council Clerks provides a counselling service for clerks. Counselling offers the opportunity to discuss feelings and thoughts on matters of concern with a trained professional. For more information you should visit the SLCC web site.

3. SICKNESS NOTIFICATION AND CERTIFICATION REQUIREMENTS

3.1 If the Clerk is absent due to sickness on a normal working day, he must notify the Chairman or Vice Chairman by telephone, text or email as soon as possible stating the reason for his absence and the expected duration of his sickness absence



where known. The Deputy Clerk should notify the Clerk, as soon as possible, who will inform Councillors of the Deputy's absence.

- 3.2** If the Council does not hear from you during a normal working week a Member of the Council, or the Clerk for the Deputy, will endeavour to contact you at home. If you are unable to call yourself you may ask someone to make contact on your behalf. If you are off for more than 3 consecutive working days, you must contact the Chairman or Vice-Chairman by the fourth working day (or the Clerk in the case of the Deputy Clerk).
- 3.3** You are responsible for notifying the Council of your sickness absence and for providing the appropriate certification statements as required. If you do not adhere to these notification and certification requirements, you may not be eligible for sick pay. The Council acknowledges that there may be exceptional circumstances which prevent you from meeting the reporting and certification requirements, for example, in the case of a severe injury/hospitalisation.

4. CERTIFICATE FOR SICKNESS ABSENCE

Days 1-7 of sickness absence.

- 4.1** For the first 7 calendar days of continuous absence (i.e. including non-working days), you do not need to obtain a note from your GP to cover your absence. On your first day back to work you must notify the Chairman or Vice Chairman (or the Clerk in the case of sickness absence by the Deputy Clerk) to confirm the dates of your sickness and the reasons for absence. Where practicable, you will receive an email when your absence is logged confirming the period of absence. This process gives you the opportunity to check and confirm your absence record and ensure the information held is correct. It is your responsibility to inform the Chairman or Vice Chairman (or the Clerk in the case of the Deputy Clerk) if you think your sickness absence record is incorrect when you return to work.

Sickness absence which exceeds 7 days.

- 4.2** For absences that exceed 7 continuous calendar days (including non-working days) you must provide a Med 3 from which is a 'Statement of fitness to work' (Statement). Known as the 'fit note' this was introduced in 2010. You are responsible for ensuring your medical statements reach the Chairman or Vice Chairman (or the Clerk in the case of the Deputy Clerk) promptly. Periods of absence that are not covered by a Statement will not qualify for sick pay. However, each case will be considered on its own merits.
- 4.3** If your GP provides advice that you may be fit for work you should notify the Chairman or Vice Chairman (or the Clerk in the case of the Deputy Clerk) as soon as practicable. You should send your Statements to the Chairman or Vice Chairman (or the Clerk in the case of the Deputy Clerk) who will arrange for this to be logged and processed. If the Statement is not received by the twelfth consecutive day of sickness, you may not be entitled to occupational sick pay.



5. STATEMENT OF FITNESS FOR WORK CERTIFICATE (FIT NOTE).

5.1 Your GP will either give you a Statement confirming that you are unfit for work for a specific period/until a specific date or your GP may advise that you are able to return to work and, in these circumstances, your GP will suggest options that may help you to return to work. The purpose of the Statement of 'fit note' is to facilitate a return to work and may be more likely to be used in longer-term sickness cases or those with an ongoing medical condition. The suggestions your GP may advise include:

5.1.1 Amended duties – this involves changes to your job and duties, if you are unable to complete all your normal duties and these may be amended in discussion with your manager.

5.1.2 A phased return – this allows you, initially, to work a reduced number of hours upon your return to work and increase the hours you work gradually until you return to your normal hours. This arrangement is normally agreed for a short period, normally of up to 4 weeks.

5.1.3 In some cases your GP may recommend that occupational health advice is sought.

6. RETURNING TO WORK

6.1 When completing the Statement of Fitness for Work, your GP will say whether you need to be reassessed before you return to work. If your absence continues you will need to ensure that all absence is covered by a Statement. If you do not need a further assessment, your return date will be your next normal working day after the end of the sickness period stated.

7. SICKNESS DURING HOLIDAYS

7.1 If you are sick during holiday absence, your holiday may be reinstated subject to you providing a Statement from your GP to cover the period of sickness. Retrospectively dated Statements will not be accepted.

8. MANAGING ABSENCE

8.1 In order to manage sickness absence effectively and consistently the Council will seek to support you during periods of illness and use the following interventions and procedures to facilitate a return to work, retain you in employment and improve attendance:

8.1.1 Return to work discussions and/or interviews;

8.1.2 Keeping in touch during absence;

8.1.3 Monitoring and recording absence;



8.1.4 Carrying out sickness review meetings;

8.1.5 Providing management support;

8.1.6 Seeking medical reports and OH advice;

8.1.7 Managing absence through procedures detailed below or through disciplinary procedures where appropriate.

9. RETURN TO WORK DISCUSSIONS.

9.1 You will have a return to work discussion with the Chairman or Vice Chairman (or the Clerk in the case of the Deputy Clerk) normally on your first day back at work. The purpose of the return to work discussion is to ensure that the Council is aware of issues which may affect your attendance at work and your state of health so that the appropriate support and action may be taken. For example, the Council should be aware of whether:

9.1.1 You have an underlying medical condition;

9.1.2 Any adjustments are needed if you have disability;

9.1.3 You are suffering from stress which may relate to personal issues or to issues at work;

9.1.4 You would like access to the counselling service; or

9.1.5 There are personal issues outside work which are affecting your attendance.

9.2 Return to work discussions and sickness review meetings may help to improve attendance and resolve absence issues, as health and other associated problems are discussed openly in a supportive way with a view to addressing issues at an early stage. Absence is monitored over a 12-month rolling period. So current absence will be calculated from the date of review for the previous 12-month period. If a period or pattern of absence continues beyond 12 months, such previous absence may be considered as part of the ongoing review.

9.3 The content of return to work discussions will vary depending upon the length, type of absence and concerns in relation to your sickness record. It is likely to be a brief conversation about your health and offer of support; however, it may be a more detailed discussion or meeting depending upon the issues.

9.4 In the return to work discussion the Chairman (or Clerk in the case of the Deputy Clerk) will:

9.4.1 Acknowledge and welcome you back to work;

9.4.2 Find out the reason and cause of absence if this is not known by the Council;



9.4.3 Make sure you are well and fully fit to return to work, taking into account any recommendations from your GP where relevant.

9.4.4 Identify whether there is any additional support the Council may provide; and

9.4.5 Bring you up to date with any changes or news.

9.5 A copy of the notes of your return to work meeting will be given to you. In some cases you may not feel able to discuss your medical condition with a particular member (or the Clerk in the case of the Deputy Clerk). In these circumstances, you may request to speak to [another] Councillor about the reason for absence.

9.6 Sickness information will be held confidentially and access restricted to authorised persons within the Council. Under the Data Protection Act, sickness information is considered sensitive data and the Council is committed to ensuring that such data is treated confidentially and not shared more widely than is necessary, in accordance with the Act.

10. MEDICAL REPORTS.

10.1 If the Council is concerned about your medical condition, or its consequences as related to your employment, you may be asked to attend a medical examination. Other medical and/or specialist reports may also need to be obtained. The costs of providing these reports will be met by the Council.

10.2 In some cases your GP may also recommend that OH advice is sought.

10.3 All absence attributed to stress where occupational stress is a contributing factor will be referred to OH as a matter of course after 5 working days continuous absence.

10.4 If you withhold your consent to the Council seeking a medical report or refuse to attend an appointment with an OH advisor, the Council will have to make a decision about your absence and your health on the information available to it. Under Access to Medical Reports Act you have the right to see a medical report provided by your GP or medical consultant before it is sent to the Council. Further medical reports may be sought in relation to long-term sickness or capability issues.

11. LONG TERM SICKNESS

11.1 Long term sickness absence is defined as 4 weeks continuous absence. It will be managed with due regard to the Equality Act 2010 and the Code of Practice on Disability in Employment where the reasons for absence are related to an underlying medical condition or disability.

11.2 Managing long-term sickness issues involves holding monthly sickness review meeting with you to:



11.2.1 Keep in touch;

11.2.2 Discuss and review the length and reasons for absence;

11.2.3 Establish a return to work date; and

11.2.4 Facilitate a return to work/improve attendance levels.

12. FACILITATING A RETURN TO WORK

12.1 In order for the Council to provide staff with appropriate support and facilitate a return to work, the Council may need to:

12.1.1 Seek medical advice through our nominated OH physician or from your GP or medical consultant about your health to establish when/whether a return to work is likely and how the Council can reasonably to help to facilitate this;

12.1.2 Discuss and make reasonable adjustments if you are disabled that may facilitate a return to work;

12.1.3 Consider whether a phased return to work is beneficial; or

12.1.4 Discuss early retirement where appropriate, if this option is available to you.

13. KEEPING IN TOUCH

13.1 During longer term sickness absence and if it is likely to be 4 weeks or longer, it is important that the Clerk keeps in touch with the Chairman or Vice-Chairman (or the Clerk in the case of the Deputy Clerk) at agreed regular intervals and let them know of any changes in their health or expected date of return.

13.2 Monthly review meetings will normally be held with the absent member of staff and may be arranged at work, at the employee's home or another agreed location and they have the right to be accompanied to these meetings.

13.3 In some cases, where there is a known medical reason for absence and there is a known date of return to work, meetings may be held at longer intervals by agreement, with contact mainly by telephone.

14 PHASED RETURNS

14.1 If the employee is recovering from illness and it is considered that a phased return to work would be beneficial, the Chairman or Vice-Chairman (or Clerk in the case of the Deputy Clerk) will discuss this with them. A phased return allows the employee to return to work starting on reduced hours for a short period and building up hours gradually to their normal hours. The employee will receive normal pay during this phased return which would be for up to a maximum of four weeks.



15 PROCEDURE FOR MANAGING LONG TERM SICKNESS

- 15.1** During long-term sickness absence, it is important for the Chairman or Clerk (as appropriate) to keep in touch with the employee and provide appropriate support and interventions to facilitate a return to work and retain the employee in employment where this is practicable.

16 SICKNESS REVIEW MEETINGS

Long Term Sickness Review Meeting

- 16.1** After four weeks continuous absence or intermittent absence the Chairman or Clerk (as appropriate) will write to the employee and arrange a sickness review meeting with the Employment Committee.
- 16.2** The purpose of the meeting will be to discuss their sickness absence and identify any support the Council may be able to provide which may facilitate the employee's return to work. This may include seeking medical advice, arranging a phased return, changing working hours or making other reasonable adjustments.
- 16.3** The employee may be asked to attend a meeting with the Council's OH provider. The employee will be given a copy of any medical reports received and the implications will be discussed with them.

Follow up Sickness Review Meetings (monthly)

- 16.4** After 8 weeks continuous absence or intermittent absence the Chairman or Clerk (as appropriate) will write to the employee to give notice to attend a further sickness review meeting with the Employment Committee. The employee may also be asked to attend a meeting with an occupational health adviser if this has not already been arranged.
- 16.5** The purpose of follow up review meetings, which should be held monthly, is to:
- 16.5.1** discuss their health;
 - 16.5.2** consider any medical advice received;
 - 16.5.3** review any actions which have been discussed
 - 16.5.4** consider any further support including reasonable adjustments where appropriate that the Council are able to offer to improve attendance or facilitate a return;
 - 16.5.5** identify a possible return to work date; and
 - 16.5.6** where appropriate, consider whether employment may be at risk.



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16.6 However, if the employee is off on long term sick leave and it becomes evident at any stage that a return to work is unlikely or that the employee will be unable to fulfil their role effectively for health reasons, they may be invited to attend a capability hearing and a potential outcome may be that employment is ended due to reasons of ill health. Before any decision is taken about their employment situation, the Council will seek medical advice and consider other action short of dismissal.

16.7 The Chairman or Clerk (as appropriate) will advise the employee if their employment may be at risk and will carry out a capability review before further action is taken.

17 NOTICE OF MEETINGS

17.1 The employee will be given at least 5 working days written notice to attend a meeting. They have the right to be accompanied by a trade union representative or fellow clerk. If their companion is unable to attend the meeting within this timescale a further appointment will be made.

18 STATUTORY SICK PAY

18.1 The employee is entitled to receive statutory sick pay (SSP) provided they meet certain criteria:

18.1.1 He must be too ill to undertake their work on any day for which they claim SSP;

18.1.2 He must be absent from work for at least 4 consecutive days (including Sundays and Bank Holidays). This period of 4 consecutive days is known as a period of incapacity for work (PIW).

18.1.3 He must supply evidence of incapacity.

18.2 For the first 7 days of absence this can be in the form of a self-certificate. For periods of incapacity of 8 days or more, this evidence must be in the form of a GP Fit Note.

18.3 If an employee is off for two periods which are separated by 8 weeks (56 days) or less, then the employee does not need to be absent for 4 consecutive days in the second period of absence in order to receive SSP.

18.4 The periods for which the employee is entitled to SSP are given in their contract of employment.

SIGNED

COUNCILLOR ADAM BILLINGSLEY,
PARISH COUNCIL CHAIRMAN